

Exhibit 4

(REDACTED)

This Exhibit contains the specific pages of the deposition Plaintiffs are referencing. The entire deposition was separately filed in the record pursuant to LR 5.1 and the M.D. Ga. CM/ECF Administrative Procedures Manual.

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

WILHEN HILL BARRIENTOS,)
ET AL.,)
)
Plaintiffs,)
) CIVIL ACTION NO.
v.)
) 4:18-cv-00070-CDL
CORECIVIC, INC.,)
)
Defendant.)

DEPOSITION OF BETHANY BRAZIER

ATLANTA, GEORGIA

THURSDAY, NOVEMBER 18, 2021

(Reported Remotely)

REPORTED BY: TANYA L. VERHOVEN-PAGE,
CCR-B-1790

JOB NO. 201901

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November 18, 2021

9:01 a.m.

Deposition of
BETHANY BRAZIER, held in Atlanta,
Georgia before Tanya L. Verhoven-Page,
Certified Court Reporter and Notary Public
of the State of Georgia.

APPEARANCES OF COUNSEL

On behalf of the Plaintiffs:

SOUTHERN POVERTY LAW CENTER

400 Washington Avenue

Montgomery, Alabama 36104

BY: CAITLIN SANDLEY, ESQ.

MEREDITH STEWART, ESQ.

VIDHI BAMZAI, ESQ.

On behalf of the Defendant:

STRUCK LOVE BOJANOWSKI & ACEDO

3100 West Ray Road

Chandler, Arizona 85226

BY: DANA KEENE, ESQ.

1 B. BRAZIER

2 ATLANTA, GEORGIA; THURSDAY, NOVEMBER 18, 2021

3 9:01 A.M.

4

5 Thereupon --

6 BETHANY BRAZIER,

7 called as a witness, having been first duly sworn,

8 was examined and testified as follows:

9

10 EXAMINATION

11 BY MS. SANDLEY:

12 Q Good morning, Ms. Brazier.

13 A Good morning.

14 Q Could you please state your full name for
15 the record.

16 A Bethany Leanne Brazier.

17 Q And did you formerly go by Bethany

18 Norman?

19 A I did, yes.

20 Q All right. Well, we're here this morning
21 to take your deposition.

22 MS. SANDLEY: First I'm going to

23 ask your attorney, Ms. Keene, can we

24 agree that all objections should be

25 reserved except to form and

1 B. BRAZIER

2 A Not -- other than just sending in
3 information that was requested.

4 Q Again, I don't want to get into the
5 details, just the when. Okay. All right.

6 Well, Ms. Brazier, who's your current
7 employer?

8 A I work for Mercer University now.

9 Q Okay. What's your job title?

10 A Associate director of finance and
11 operations.

12 Q Are you based in Macon?

13 A No, I'm based in Columbus.

14 Q Okay. Great. And when did you start
15 that job?

16 A October 13th.

17 Q Well, we appreciate you being available
18 today. I know it's hard to make yourself available
19 for a deposition when you just started a new job, so
20 thank you.

21 A Yes.

22 Q And you worked for CoreCivic previously,
23 right?

24 A Yes.

25 Q What were the dates that you worked for

1 B. BRAZIER

2 CoreCivic?

3 A I started there in January of 2007 and I
4 left in October of 2021.

5 Q And what was -- and did you work at
6 Stewart Detention Center?

7 A Yes.

8 Q Did you work at any other CoreCivic
9 facility?

10 A No.

11 Q What was your job title at Stewart?

12 A Business manager.

13 Q And counsel for your former employer,
14 CoreCivic, is representing you today for this
15 deposition, right?

16 A Yes.

17 Q What were your job duties as business
18 manager?

19 A Mostly purchasing, budgeting, accounting,
20 everything. Buying stuff we needed, like organizing
21 meetings. Just, you know, general business task.

22 Q Who was your direct supervisor?

23 A The warden, which there were several
24 different wardens while I was there. So whoever the
25 warden was at the time would have been my supervisor.

1 B. BRAZIER

2 payment to the County as set forth in the IGSA.

3 And it goes on to say: To the extent
4 allowed under the IGSA, CCA will be designated payee
5 and funds due pursuant to the IGSA will be paid
6 directly to CCA.

7 Do you see that?

8 A Yes.

9 Q Okay. Was CoreCivic designated as the
10 payee under this contract?

11 MS. KEENE: Foundation.

12 You can answer.

13 THE WITNESS: Okay. Sorry.

14 MS. KEENE: If you know.

15 THE WITNESS: I'm not really sure,
16 to be honest. There was a bank account

17 that the funds went to -- that ICE sent

18 the money to and then Stewart County sent

19 it to us. So that's all I know really.

20 BY MS. SANDLEY:

21 Q Okay. So ICE sent the money to a bank
22 account?

23 A Uh-huh.

24 Q Right? Did that bank account belong to
25 Stewart County?

1 B. BRAZIER

2 A Yes.

3 Q And then Stewart County paid CoreCivic?

4 A Yes.

5 Q When Stewart County paid CoreCivic, did
6 CoreCivic subtract out its 85 cents per inmate per
7 day?

8 A Yes.

9 Q Let's look at Paragraph 6.

10 During any month in which the average
11 daily population for that month is between one and
12 35, CCA will pay the county an additional sum of
13 \$1,700 to cover the County's administrative costs.

14 Do you recall whether the daily
15 population at Stewart was ever between one and 35
16 detained people?

17 A Not while I was there, no.

18 Q But under this agreement, if the daily
19 population at Stewart was 36 people or higher,
20 Stewart County received 85 cents per detained person
21 per day, right?

22 MS. KEENE: Foundation.

23 THE WITNESS: Yes.

24 BY MS. SANDLEY:

25 Q And if the population had been 35 people

1 B. BRAZIER

2 THE WITNESS: I wasn't the business
3 manager then, so I don't know.

4 BY MS. SANDLEY:

5 Q Okay. Was the per diem rate different
6 when you started as business manager at Stewart?

7 A I don't remember.

8 Q Generally, the IGSA in its amendment to
9 modification set a per diem rate, right?

10 A Yes.

11 Q And that per diem rate is the amount that

12 ICE pays per detained person per day at Stewart

13 Detention Center, right?

14 A Yes.

15 Q And under that CoreCivic, Stewart County
16 agreement we just looked at, Stewart County, at least
17 under the first iteration of that agreement, would
18 subtract out 85 cents per inmate per day from that
19 per diem rate, right?

20 A Yes.

21 Q And then the rest would go to CoreCivic?

22 A Yes.

23 MS. KEENE: Foundation.

24 BY MS. SANDLEY:

25 Q And you know that because you were the

1 B. BRAZIER

2 of 45 cents per day, tiered pricing and a guaranteed
3 minimum amount of 1,600 in exchange for the service.

4 What was the supplemental agreement that
5 this is talking about?

6 MS. KEENE: Foundation.

7 THE WITNESS: I'm -- I mean, I'm --
8 I don't know. I guess there was a
9 supplemental agreement attached to this.

10 BY MS. SANDLEY:

11 Q Can you explain the guaranteed minimum
12 amount of 1,600?

13 MS. KEENE: Foundation.

14 THE WITNESS: That would just be
15 the minimum amount we would ever bill for
16 in a month.

17 BY MS. SANDLEY:

18 Q So after this IGSA modification,
19 CoreCivic billed for at least 1,600 detained people
20 per day, no matter what the population was, correct?

21 MS. KEENE: Foundation and form.

22 THE WITNESS: Yes.

23 BY MS. SANDLEY:

24 Q How many times after this bed minimum was
25 implemented through this IGSA modification did

1 B. BRAZIER

2 MS. SANDLEY: Back on the record.

3 BY MS. SANDLEY:

4 Q Ms. Brazier, we're about to look at some
5 budget documents and I just wanted to say I'm not a
6 numbers person like you, so let's -- I want to be
7 sure that record is clear. If I get the math wrong
8 or if I'm misunderstanding, please correct me, okay?

9 A Okay.

10 Q All right. Do you agree that CoreCivic
11 is a for-profit business?

12 A Yes.

13 Q And as a general matter, profits are
14 determined by the amount of the business' revenues
15 minus the business' expenses, right?

16 A Yes.

17 Q Do you agree that Stewart is operated to
18 make profits for CoreCivic?

19 A Yes.

20 MS. KEENE: Foundation and form.

21 BY MS. SANDLEY:

22 Q Was it your understanding that CoreCivic
23 wants Stewart to be profitable?

24 A Yes.

25 Q Was it your understanding that management

1 B. BRAZIER

2 MS. KEENE: Form.

3 THE WITNESS: Yes.

4 BY MS. SANDLEY:

5 Q Why are budgets important?

6 A Because it keeps you on track, it keeps
7 you -- I mean, budgeting keeps you -- like, you set
8 your goals and you know where you're going to go and
9 how much you're expected to spend, and it let's you
10 know if anything is out of, you know, range. So
11 it's -- you know, if you're -- that's how you keep up
12 with what you're spending.

13 Q Did you have a role in setting the budget
14 for Stewart?

15 A I would receive the budget already from
16 FSC, so I didn't make the budget. I could request
17 changes to it, but it came to me already prepared.

18 Q Do you have an understanding of how FSC
19 developed the budget for Stewart?

20 A For certain parts of it, yes.

21 Q What was that process?

22 A It would usually -- the -- for the
23 expense accounts, it would be whatever we had spent
24 over the last 12 months. Like there would be a per
25 man day expense and they would multiply it out over

1 B. BRAZIER

2 talking about. Like, yes, I did send out -- if --
3 for certain things, like that other departments were
4 dealing with, like detainee pay, I would send out a
5 -- you know, showing them where they were for the
6 month or whatever.

7 But it just depended on what it was, not
8 for everything. And I would -- if we were over
9 budget, I would let -- you know, I would do
10 explanations for that to our corporate office, but --

11 Q Did you provide monthly budget reports to
12 FSC?

13 A No, because they could see -- I mean,
14 they could see it in the system. They didn't need me
15 to send it.

16 Q Did FSC ever ask you questions about the
17 budget at Stewart?

18 A Sometimes, yes.

19 Q What kind of questions would they ask?

20 A If something was like really low or
21 really high, they would just ask, hey, is something
22 going on, you know, why is this like this. But
23 that's about it. I mean, it wouldn't be -- I can't
24 recall anything specific, but it mostly would just be
25 if something was really out of -- out of the

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B. BRAZIER

A series of 20 horizontal black bars of varying lengths, representing a list of redacted items. The bars are arranged vertically, with some being significantly longer than others, suggesting a list of items with different levels of detail or importance. The bars are solid black and have no text or other markings on them.

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B. BRAZIER

A horizontal bar chart consisting of 20 black bars. The bars are arranged vertically, with their lengths representing a distribution of data. The lengths vary significantly, with some bars being very short (around 10-20% of the chart width) and others being nearly full (around 90-100% of the chart width). The bars are evenly spaced, and the overall distribution appears to be roughly bell-shaped, with a peak in the middle of the chart.

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B. BRAZIER

A horizontal bar chart consisting of 20 black bars. The bars are arranged in four groups of five, with a gap between each group. The lengths of the bars vary significantly, with some being very short and others nearly spanning the entire width of the chart area.

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B. BRAZIER

Bar Index	Approximate Length (%)
1	100
2	90
3	90
4	100
5	100
6	40
7	95
8	100
9	25
10	35
11	75
12	95
13	90
14	100
15	70
16	95
17	35
18	75
19	30
20	100
21	85
22	80
23	35
24	100

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B. BRAZIER

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B. BRAZIER

A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged vertically, with the longest bar at the top and the shortest bar at the bottom. The lengths vary significantly, with some bars being nearly full-width and others being very short. The bars are arranged in a single column, with the longest bar at the top and the shortest bar at the bottom. The lengths vary significantly, with some bars being nearly full-width and others being very short.

1 B. BRAZIER

2 the rates were, but the way it -- like, with the
3 phone cards, when we were with Securus, there was a
4 five-dollar phone card or like a 20-dollar phone
5 card, I think.

6 With the -- when we changed to Telmate,
7 it was just sold by the dollar. So you could get one
8 dollar, two dollar, three dollars, however you
9 wanted. Because there wasn't actually a card, it was
10 actually just five dollars or two dollars or three
11 dollars or whatever worth of phone time.

12 That -- I hope I'm explaining that
13 correctly. I'm sorry if I'm not.

14 Q No, that's okay.

15 And under the Securus contract, CoreCivic
16 got a commission on the phone time that was sold,
17 correct?

18 MS. KEENE: Foundation.

19 THE WITNESS: Right.

20 BY MS. SANDLEY:

21 Q And that included commission on the phone
22 cards that were sold?

23 A As I -- as we talked about earlier, I
24 don't know how that commission was calculated. It
25 all went through FSC. So I'm not sure like what all

1 B. BRAZIER

2 was taken into consideration when that commission was
3 sent to FSC. I have no idea.

4 Q Okay. Did the detained worker pay budget
5 include phone cards?

6 A No.

7 Q We were talking earlier about the
8 batching and pay process for detained workers.

9 A Uh-huh.

10 Q Are you -- could you have paid a detained
11 worker for two different jobs done in the same day?

12 A Yes, it's possible.

13 Q So there was nothing in OMS that
14 prevented you -- your office from posting pay for a
15 single worker for two different jobs done in the same
16 day?

17 A No, there would be nothing -- no way for
18 us to even really know unless we went into each
19 individual detainee's account and looked at what they
20 had already been posted for that day, which would --
21 with the number of -- you know, 300 some detainee
22 workers every day, that would be -- just delay pay
23 getting posted.

24 So there really was nothing that would --
25 like they wouldn't flag it or give you an error

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17 What were -- in your recollection, what

18 were the top selling commissary items at Stewart?

19 A The ramen noodles were one of the tops.

20 Always the top selling item. Let's see. The snack

21 cake, like the honeybuns and the little Danish

22 things, those were big sellers. The rice, the -- I

23 can't remember, the Velveeta cheesy rice was a big

24 one. Like the tortilla chips, those were always a

25 big seller. I'm trying to think. Popcorn, popcorn

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B. BRAZIER

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B. BRAZIER

Bar Index	Approximate Length (%)
1	35
2	100
3	25
4	100
5	95
6	40
7	92
8	98
9	50
10	97
11	97
12	98
13	100
14	100
15	88
16	60
17	97
18	98
19	35
20	35
21	100
22	45
23	35
24	95
25	35

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B. BRAZIER

A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged vertically, one above the other. The lengths of the bars vary significantly, with some being very short (around 10-20% of the chart's width) and others being nearly full-width (around 90-100%). The bars are distributed across the vertical space, with some appearing in groups of three or four. The overall pattern suggests a data series with a wide range of values.

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B. BRAZIER

Bar Index	Approximate Length (%)
1	95
2	100
3	35
4	95
5	90
6	35
7	98
8	35
9	98
10	100
11	25
12	35
13	98
14	45
15	55
16	100
17	70
18	92
19	58
20	98
21	90
22	90
23	75
24	35

D I S C L O S U R E

STATE OF GEORGIA) DEPOSITION OF:

FULTON COUNTY) BETHANY BRAZIER

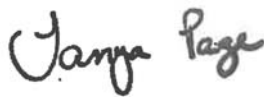
Pursuant to Article 8.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as a representative of TSG Reporting.

TSG Reporting was contacted by the offices of Southern Poverty Law Center to provide court reporting services for this deposition. TSG Reporting will not be taking this deposition under any contract that is prohibited by O.C.G.A. 15-14-37 (a) and (b).

TSG Reporting has no contract or agreement to provide court reporting services with any party to the case, or any reporter or reporting agency from whom a referral might have been made to cover the deposition.

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Tanya L. Verhoven-Page,
Certified Court Reporter,
B-1790.

C E R T I F I C A T E

STATE OF GEORGIA:

FULTON COUNTY:

I hereby certify that the foregoing deposition was reported, as stated in the caption, and the questions and answers thereto were reduced to written page under my direction, that the preceding pages represent a true and correct transcript of the evidence given by said witness.

I further certify that I am not of kin or counsel to the parties in the case, am not in the regular employ of counsel for any of said parties, nor am I in any way financially interested in the result of said case.

Dated this 22nd day of November,
2021.



Tanya L. Verhoven-Page,
Certified Court Reporter,
B-1790.